



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**CORRECTED
LETTER OF DEFICIENCY
WET 05-044**

November 17, 2005

SRL Homebuilders
c/o Robert Starace
10 Dorothys Way
Bedford, NH 03110

RE: DES Wetlands File #2005-01992, 89 Stonedam Island Rd, Meredith

Dear Mr. Starace:

This Corrected Letter of Deficiency ("LOD") originally issued on November 7, 2005 is issued by the Department of Environmental Services, Wetlands Bureau to SRL Homebuilders. The original LOD cited the docket number as "WET 2005-1992". The docket number has been corrected to "WET 05-044". In all other respects, the LOD remains in effect and all deadlines remain unchanged.

On September 22, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Meredith Tax Map S6 as Lot 28 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Approximately 891 square feet of prime wetland was filled and graded to extend an existing driveway without a permit.
2. Approximately 125 square feet of prime wetland was filled with mulch to create uplands.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, but no later than **December 10, 2005**, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a certified wetland scientist, and include provisions for the restoration of the Prime Wetland impacted on the Property. Submit the following with the restoration plan:
 - a. A plan with dimensions, drawn to scale, showing;

1. Existing conditions, with wetland boundaries; and
 2. Proposed conditions after reestablishing the jurisdictional areas.
- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);
 - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
 - e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum monitoring progress reports for two successive growing seasons following completion of the restoration project.
 - f. A provision to delineate the wetlands within the restoration site after 5 full growing seasons and document the delineation with data forms and depict the delineation on a site plan.
2. Retain a qualified wetland scientist to supervise the implementation of the restoration plan and to submit the restoration progress reports.
 3. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Tracey Boisvert, Compliance Supervisor
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Stacey Herbold (603) 271-4062.

Sincerely,

 **COPY**

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0003 0561 8064

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Meredith Conservation Commission
Meredith Board of Selectmen
USACOE